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CRIME—FROM A STATISTICAL VIEWPOINT

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Let no one be deluded by the superscription. It is not intended to exhibit a statistical picture of the conditions of crime in the United States. That demands an extensive knowledge of the facts which no one may profess to have. The humiliating truth is that statistics of crime, in the proper sense of the term, are largely an unfamiliar commodity in this country. This does not signify indifference about crime matters. We talk a great deal about them. Statutes are piled upon statutes in effort to prevent and punish criminality. Huge and costly experiments are undertaken for the reformation of offenders. There are even some who fearlessly, if not always wisely, seek to probe the crime question in its causative relations. Yet the fundamental facts in regard to the whole situation are lacking; we are not in position to take adequate stock of the problems we set ourselves to meet.

In general the purposes of criminal statistics are: (1) To furnish a measurement of the volume of crime during a given period; (2) to present the facts in regard to the different manifestations of criminality and the different classes of criminals; (3) to exhibit the judicial methods by which crime is dealt with; and (4) to serve as a basis for intensive study of specific phases of the crime question. The ultimate aim is to acquire a solid body of facts upon which to base intelligent action. Now let us examine in some detail the available statistical evidence about crime and see how far it meets the modest requirements stated.

For the United States as a whole, the decennial census enumeration of prisoners is the main source of knowledge. But no matter how painstaking such an enumeration is and how intelligently the results are presented, only that portion of crime comes under view for which men are finally convicted and sentenced to imprisonment. Manifestly, such a census reveals nothing in regard to the thousands who, although found guilty, escape further penalty through the payment of fines, by suspension of sentence, by being placed on proba-

tion, etc. Nor do statistics of prisoners afford the slightest inkling of the multitude of criminal cases coming before the courts in which the accused are not convicted; yet these must be considered in any effort to measure crime quantitatively. The truth that a country-wide census of prisoners does not provide the facts needed is particularly forced home when the census report through various untoward circumstances is published several years subsequent to the period of time it covers. Statistics of prisoners have their important place, of course, but are diminishing in value unless supplemented by other information, owing to the modern tendency of substituting new methods of dealing with crime for incarceration.

The field of criminal statistics does not promise a richer harvest within the area of single states. Most commonwealths have nothing to offer beyond wholly inadequate returns of prisoners to be found in institutional reports or brought together in some publication of a state board. Here and there effort is made to supplement such fragmentary information by certain facts obtained from the records of the criminal courts. But the scheme followed is either so crude or the facts are so badly put together that the whole output is of little use. One reason for this is that the duty of collecting and publishing statistics of crime is placed where it does not belong. Why, for instance, should it be assumed to be the proper function of a secretary of state, as in Ohio and New York, or of a board of charities, as in Pennsylvania? Only two states have so far provided special machinery for the purpose. Illinois has its new bureau of criminal statistics which, however, has only been in operation a short while. In Indiana, the long established bureau of statistics should prove equal to the task because it is backed by ample authority in law; but it suffers from that inefficiency which is almost necessarily associated with an office demanding technical training and skill, but whose head is elected by the people like any other political candidate!

With rare exceptions, the criminal courts do not attempt to enrich our knowledge about the crime situation. Apparently, they do not feel the need of informing themselves by bringing together and studying the results of their own work, much less do they recognize the general utility of enlightening the public with the facts. One court forms such a notable exception to the general rule that it deserves special mention, namely, the municipal court of Chicago.

Once in a while, under stress of special circumstances, officials may be forced to institute a statistical self-examination, as, for example, in the case of the municipal courts of Boston, and the results are singularly illuminating.

But, by and large, officials of the criminal courts seem to regard it as something akin to impertinence that students should wish to utilize their records as an educational means about matters of crime. Anyhow, these precious sources of the most fundamental knowledge generally remain sealed.

In a well-ordered community, the statistics derived from the records of the criminal courts should be supported by those pertaining to the work of prosecuting officials; but how reluctant these elective functionaries are to take the public into their confidence is well known. Very few of them vouchsafe as much as a superficial account of their work in the form of an annual report. Exceptionally, the report of an attorney-general may be found which, in obedience to some statute, presents fugitive and undigested facts about criminal prosecutions in specified criminal courts. They are raw totals, not qualified statistics.

There remains to be considered one other possible source of information of a general nature about the conditions of crime, namely, the records of the police. These are ordinarily translated into tables given out in annual reports, but not always. There are cities in this country of more than 200,000 population which do not publish any police reports whatsoever, or do it irregularly, or are content with a few typewritten pages of tables that are hardly intelligible even to the initiated. There is, of course, no standard for our police reports. Many of them are so questionable as to matter and so impossible as to form that they are robbed of the most primitive utility. An exceedingly small number offers material so complete that it can be used and interpreted without misgivings.

Let us therefore admit however reluctantly that statistics of crime in the true sense of the word we have not. This condition may not deter adventurous minds from parading figures purporting to show the "movement of crime" and many other things. If they are content to argue on such slender evidence as prison reports, newspaper clippings and the like, let them take the responsibility. No one who has mastered the rudiments of the application of the statistical method to the general crime problem can have the temer-

ity to venture far-reaching deductions on the strength of available information.

What underlies the situation? Merely indifference to the importance of knowing elementary facts about one of our greatest and most difficult social problems, or have we here only another instance of official neglect? To put the blame upon the federal government for not producing acceptable statistics of crime has become a habit even with some people who should know better. Doubtless, the government should be far more active than it is; but under our dual form of official existence, a bureau like that of the census is greatly handicapped in collecting criminal statistics. Not commanding any of the sources of information, it must depend upon the material available in the different states. For example, the federal government cannot compel returns in a specified form from the various criminal courts (the most important means of knowledge), and since such returns are not centrally assembled by the states, it is confronted by the enormous and almost prohibitively expensive task of sending its own agents through the length and breadth of the land to collect the facts where they are originally entered. An added difficulty is that the records to be consulted are often imperfect, have not in any sense been standardized, thanks largely to the diversity of criminal codes and court systems, and seldom meet a modest minimum requirement in regard to raw material from which criminal statistics may be obtained.

But when all allowances are made for the inactivity of federal and state authorities, let us say honestly that the root-difficulty is that we do not fully appreciate how necessary to intelligent legislative and practical endeavor it is to have systematically collected and thoroughly sifted facts about one of the most pressing and obvious problems common to the whole world. Is this not rather characteristic of us as a people? A learned man discoursed the other day upon the predominance in this country of the feminine type of mind, one manifestation of which is a disregard for fact, or at least for the painstaking assembling and comparative examination of facts. To be sure, it is a national habit to demand the facts about all manner of things and conditions. But we show little patience about working for them. Or we want to use facts merely as a spring-board from which to jump at conclusions, or facts are sought that shall point a theory. Perhaps this is what led Dr. Crothers to make

his celebrated remark about statistics as "the most useful fertilizer for the product known as fallacies."

The writer has no delusions about the magic of statistics as a solvent of our problem. It is merely a method of finding out about things; and the burden of this article is that we are not yet thoroughly alive to the necessity of knowing the facts about the crime situation. While this condition prevails, little is accomplished by examining what there is of statistical material unless it were to puncture the spurious articles which too often pass current. There are, however, distinctly hopeful signs. The topic of criminal statistics has come much to the fore in recent years. Organizations like the American Institute of Criminal Law and Criminology are actively pushing it forward. Best of all, the bar and the judiciary are beginning to recognize the need of systematic information about their own work. Mention was made above of the recent establishment of a bureau of criminal statistics in Illinois. Massachusetts is considering a law charging its efficient bureau of statistics with the duty of gathering criminal judicial statistics. In other states, the subject is receiving more or less attention.

At least it has become recognized that we cannot be content merely with returns from prisons, and that we must look to the records of the criminal courts as the best sources of knowledge. To be sure, even when these are fortified by police and prison reports, they do not provide a perfect instrument even for measuring crime quantitatively; but they can be made to meet all practical requirements. They should help us to an understanding of the different manifestations of criminality and of the different classes of criminals. Above all, the immediate need would be met for accurate information about the instrumentalities whereby we seek to repress crime, foremost among which are the criminal courts themselves. Are the systems and methods in vogue wholly adequate? Do our long-standing theories upon which they rest prove themselves by the results? It is not asking over-much that such simple questions should be answered.

Of the different items that go to make up competent criminal court records there is not space to speak in detail, except to say that such records must give an account of the judicial process and of the human element in each case. It is more worth while to emphasize that the situation will not mend if we rely solely upon the federal government to provide us with statistics of crime. Each state must see to it

that the federal government is placed in position to do its work. The collection of vital statistics furnishes an analogy. Not until each state passes an adequate law for the registration of births, marriages and deaths and makes it effective, can the federal bureau in charge gather for that state vital statistics. The federal government can, however, pave the way by instigating legislation, by directing attention to the subject and by affording practical demonstrations.

A consideration of the wider applicability of criminal statistics, how necessary they are to different intensive studies, etc., is beyond the scope of this article. First let us acquire the elementary facts and then it will be timely to speak of their refinements. Meanwhile, the most necessary, if somewhat disagreeable task, is to hammer it into the consciousness of those concerned with the crime question that we grope blindly so long as we are without the guidance of accurate knowledge, not only about the extent and manifestations of crime, but about the very means by which we try to stop it. The European finger of scorn has long been pointed at us, even if in polite disguise, for our neglect to inform ourselves in this respect. True, we labor under difficulties from which other countries are spared, but it is frankly humiliating that we do so little to overcome them.

There is much crass ignorance about crime, and some are prone to grow hysterical over it. But does the popular notion about a rampant criminality in this country, about ineffective means of repressing it, of a prostitution of law whereby offenders escape, square with the evidence? It is vital to know the truth. Some day we shall arrive at the dignity of exhibiting it in orderly array, and no longer be dependent upon a newspaper for statements in regard to the rate of homicide in the United States. Meanwhile, one can at least write safely about crime from a statistical viewpoint without producing any statistics!